



# City of NORFOLK

C: Dir., Department of Planning and Community Development

To the Honorable Council  
City of Norfolk, Virginia

March 25, 2014


From: George M. Homewood, AICP CFM, Planning Director

Subject: **Rezoning from Conditional OVR (Ocean View Residential) to Conditional R-12 (Medium Density Multi-Family)**

Reviewed: Ronald H. Williams, Jr., Assistant City Manager

Ward/Superward: 3/7

Approved:

  
\_\_\_\_\_  
Marcus D. Jones, City Manager

Item Number:

PH-2

- I. **Staff Recommendation:** Approval.
- II. **Commission Action:** By a vote of **7 to 0**, the Planning Commission recommends **Approval**.
- III. **Request:** This application will allow the site to be developed with six single-family homes.
- IV. **Applicant:** David Colby - 3401 E. Ocean View Avenue
- V. **Description**
  - The site is located in East Ocean View neighborhood which in this area is developed with a mix of residential types and commercial uses
  - In 2007 the property was rezoned from R-12 to conditional OVR to accommodate a five-story, 55-unit age restricted development.
  - The applicant is proposing to change the zoning back to R-12 which allows single-family homes on lots with a minimum lot width of 37.5 feet and a minimum lot size of 5,000 square feet.
    - a. Six single-family homes are proposed.
    - b. The *Zoning Ordinance* requires development residential lots of this size to be reviewed by the Planning Department to ensure compliance with "A Pattern Book for Norfolk Neighborhoods"
  - The proposed homes will front on East Ocean View Avenue and while he driveways will have access from a rear alley extending from 14<sup>th</sup> Bay Street.

Staff point of contact: Susan Pollock at 664-4765, [susan.pollock@norfolk.gov](mailto:susan.pollock@norfolk.gov)

Attachments:

- Staff Report to CPC dated February 27, 2014 with attachments
- Proponents and Opponents
- Ordinance



# City of NORFOLK

To the City Planning Commission  
City of Norfolk, Virginia

February 27, 2014

From: Susan Pollock, Principal Planner

**Subject:** Change of Zoning from  
conditional OVR (Ocean View  
Residential District) to conditional R-  
12 (Multi-Family) – David Colby

Reviewed: Leonard M. Newcomb, III Land Use Services  
Manager

**Ward/Superward:** 3/7

Approved:

\_\_\_\_\_  
George M. Homewood, AICP, CFM  
Acting Planning Director

**Item Number:**

- I. **Recommendation:** Staff recommends approval, given the character of development in the neighborhood and the consistency with the general plan.
- II. **Applicant:** David Colby  
3401 East Ocean View Avenue
- III. **Description**  
This application will allow the site to be developed with six single-family homes.
- IV. **Analysis**  
The site is located on the southeast corner of East Ocean View Avenue and 14<sup>th</sup> Bay Street.

#### Plan Analysis

- *plaNorfolk2030* designates this site as Multi-family.
- While the proposed use of the site is single family homes, the proposed R-12 zoning district is a multifamily zoning district, meaning the proposed rezoning is consistent with *plaNorfolk2030*.

#### Zoning Analysis

- The site is located in East Ocean View neighborhood which in this area is developed with a mix of residential types and commercial uses.
- In 2007 the property was rezoned from R-12 to conditional OVR to accommodate a five-story, 55-unit age restricted development.

- The applicant is proposing to change the zoning back to R-12 which allows single-family homes on lots with a minimum lot width of 37.5 feet and a minimum lot size of 5,000 square feet.
  - Six single-family homes are proposed.
  - The *Zoning Ordinance* requires development residential lots of this size to be reviewed by the Planning Department to ensure compliance with "A Pattern Book for Norfolk Neighborhoods"
- The proposed homes will front on East Ocean View Avenue and while the driveways will have access from a rear alley extending from 14<sup>th</sup> Bay Street.

**Traffic Analysis**

- Institute of Transportation Engineers (ITE) figures estimate that this use will generate 302 fewer vehicle trips per day.
- Based upon ITE data, the current multi-family zoning on this site would be expected to generate 359 weekday trips while the proposed construction of six new single-family homes would be expected to generate 57 trips on weekdays.

**V. Financial Impact**

The site is current on taxes.

**VI. Environmental**

The proposed rear alley and subdivision of the lot will require review through the Site Plan Review process.

**VII. Community Outreach/Notification**

- Legal notice was posted on the property on January 21.
- Letters were sent to the East Ocean View Civic League on February 5.
- Letters were mailed to all property owners within 300 feet of the property on February 12.
- Notice was sent to the civic leagues by the Department of Communications on February 12.
- Legal notification was placed in *The Virginian-Pilot* on February 13 and 20.

**VIII. Coordination/Outreach**

This letter has been coordinated with the Department of Planning and Community Development, the Department of Public Works and the City Attorney's Office.

**Supporting Material from the Department of Planning and Community Development:**

- Proffered conditions
- Zoning Map
- Application
- Letter to East Ocean View Civic League

## **Proponents and Opponents**

### **Proponents**

David Colby  
1224 Homestead Drive  
Virginia Beach, VA 23464

### **Opponents**

None



Form and Correctness Approved: 

Contents Approved: 

By   
Office of the City Attorney

By   
DEPT.

NORFOLK, VIRGINIA

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## ORDINANCE No.

AN ORDINANCE TO REZONE PROPERTY LOCATED AT 3401 EAST OCEAN VIEW AVENUE FROM CONDITIONAL OVR (OCEAN VIEW RESIDENTIAL) TO CONDITIONAL R-12 (MULTI-FAMILY RESIDENTIAL) DISTRICT.

- - -

BE IT ORDAINED by the Council of the City of Norfolk:

Section 1:- That the property located at 3401 East Ocean view Avenue is hereby rezoned from Conditional OVR (Ocean View Residential) District to conditional R-12 (Multi-Family Residential) District. The property is more fully described as follows:

Property fronting 259 feet, more or less, along the southern line of East Ocean View Avenue and 130 feet, more or less, along the eastern line of 14<sup>th</sup> Bay Street; premises numbered 3401 East Ocean View Avenue.

Section 2:- That the property rezoned by this ordinance shall be subject to the following condition:

- (a) The property shall only be developed with no more than six single-family homes.

Section 3:- That the official Zoning Map for the City of Norfolk is hereby amended and reordained so as to reflect this rezoning.

Section 4:- That this ordinance shall be in effect from the date of its adoption.

PROFERRED CONDITIONS

1) Zoning for the construction of six  
single family homes

2) \_\_\_\_\_

3) \_\_\_\_\_

4) \_\_\_\_\_

5) \_\_\_\_\_

6) \_\_\_\_\_

7) \_\_\_\_\_

8) \_\_\_\_\_

SIGNED:

  
(Applicant signature)

02/05/2014  
(Date)

DEPARTMENT OF PLANNING & COMMUNITY DEVELOPMENT

810 Union Street, Room 508

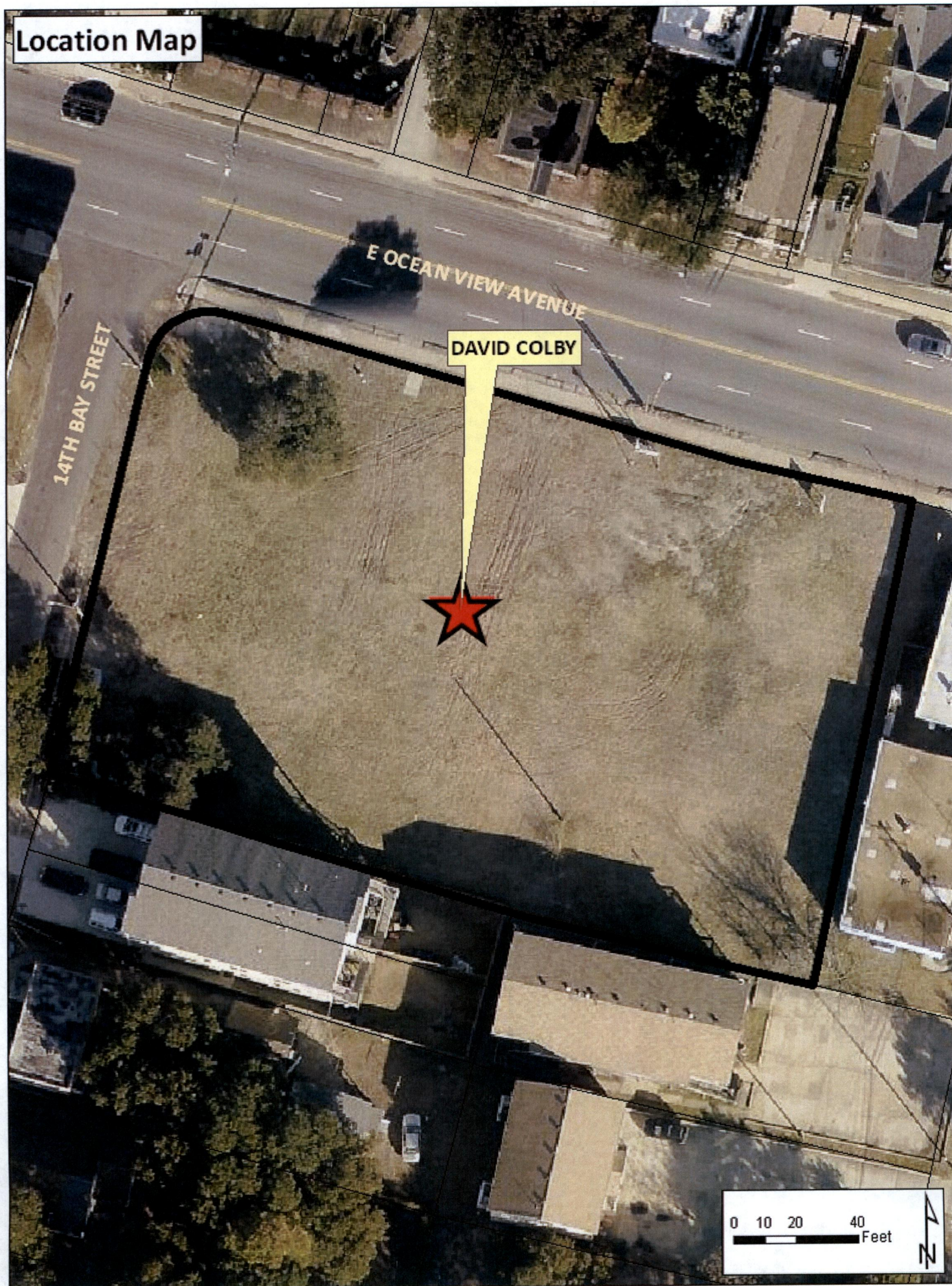
Norfolk, Virginia 23510

Telephone (757) 664-4752 Fax (757) 441-1569

(Revised July, 2013)

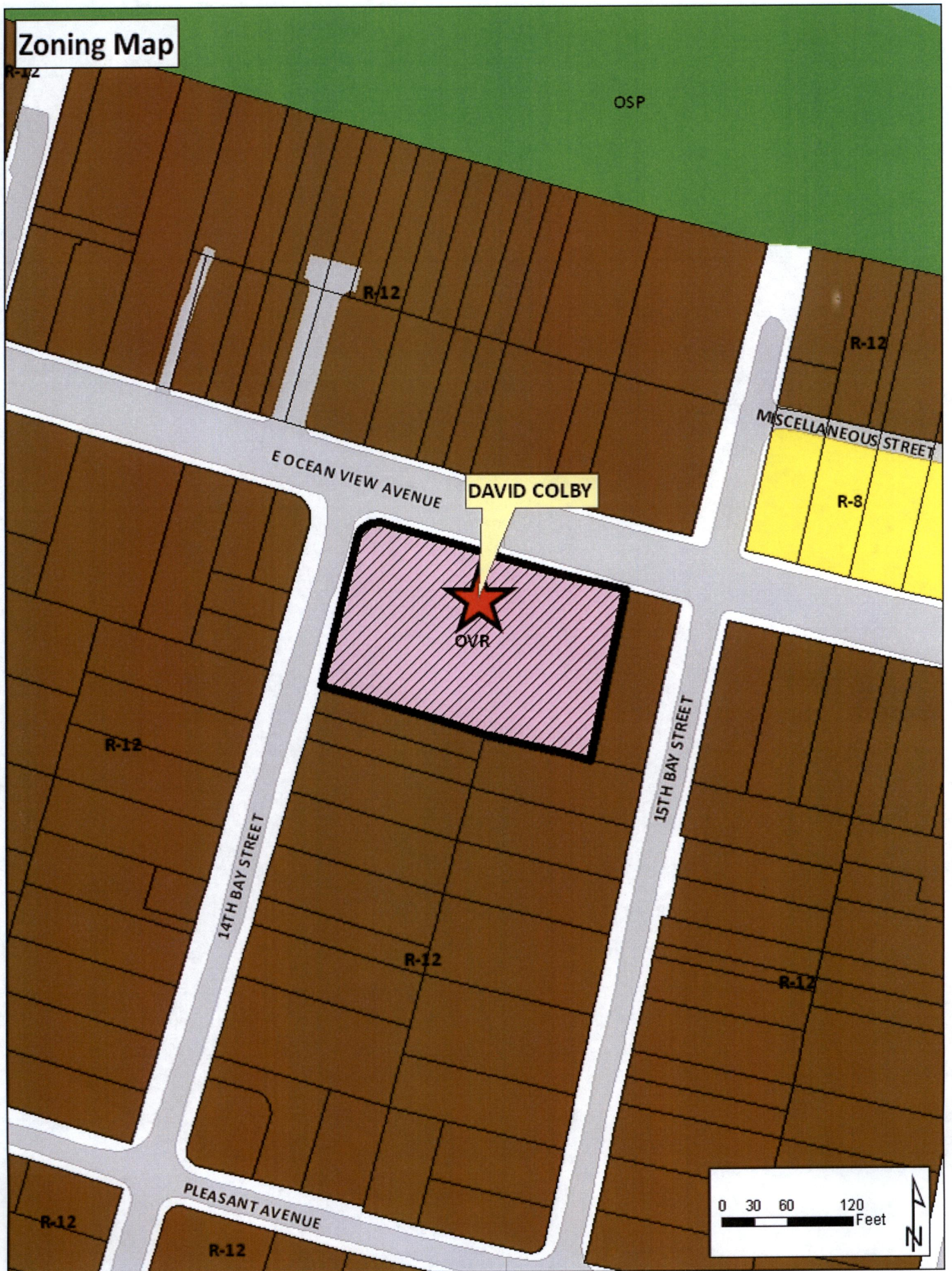


Location Map





# Zoning Map







## APPLICATION CHANGE OF ZONING

Date of application: 01-13-14

### Change of Zoning

From: OVR Zoning To: R12 Zoning

### DESCRIPTION OF PROPERTY

Property location: (Street Number) 3401 (Street Name) E. Ocean View

Existing Use of Property: Vacant Land

Current Building Square Footage NA

Proposed Use Single Family Housing

Proposed Building Square Footage 2400-2600

Trade Name of Business (If applicable) N.A.

### APPLICANT/ PROPERTY OWNER

1. Name of applicant: (Last) Colby (First) David (MI) B

Mailing address of applicant (Street/P.O. Box): 1224 Homestead Dr.

(City) Virginia Beach (State) VA (Zip Code) 23464

Daytime telephone number of applicant (757) 724-3205 Fax (757) 474-0831

E-mail address of applicant: dbcolby7@gmail.com

### DEPARTMENT OF PLANNING & COMMUNITY DEVELOPMENT

810 Union Street, Room 508

Norfolk, Virginia 23510

Telephone (757) 664-4752 Fax (757) 441-1569

(Revised July, 2013)

**Rezoning  
Page 2**

2. Name of property owner: (Last) Minton First) Tina (MI) \_\_\_\_\_

Mailing address of property owner (Street/P.O. box): 1206 Laskin Rd. Ste. 250

(City) Virginia Beach (State) VA (Zip Code) 23464

Daytime telephone number of owner (757) 406-7001 Fax number (757) 819-6760

**CIVIC LEAGUE INFORMATION**

Civic League contact: John Green <sup>603-8249</sup> greenie4720@yahoo.com

Date(s) contacted: THURS. 7:00 AM

Ward/Super Ward information: Tommy R. Smigiel Jr. / Barclay C. Winn

**REQUIRED ATTACHMENTS**

- ✓ Required application fee, **\$705.00** (if check, make payable to Norfolk City Treasurer).
  - Application fee includes a non-refundable \$5 technology surcharge.
  - If accompanied with a necessary map amendment to the City's adopted general plan, *plaNorfolk2030*, an additional technology surcharge of **\$5** will be required.
- ✓ Two 8½ x 14 inch copies of a survey or site plan drawn to scale showing:
  - Existing and proposed building structures
  - Driveways
  - Parking
  - Landscaping
  - Property lines (see attached example)
- ✓ Description and details of the operation of the business (i.e., # of employees, # of bays, reason for rezoning, etc...)

**CERTIFICATION:**

I hereby submit this complete application and certify the information contained herein is true and accurate to the best of my knowledge:

Print name: David Colby Sign: David Colby 13 / 14  
(Property Owner or Authorized Agent Signature) (Date)

Print name: David Colby Sign: David Colby 13 / 14  
(Applicant or Authorized Agent Signature) (Date)

**DEPARTMENT OF PLANNING & COMMUNITY DEVELOPMENT**

810 Union Street, Room 508

Norfolk, Virginia 23510

Telephone (757) 664-4752 Fax (757) 441-1569

(Revised July, 2013)

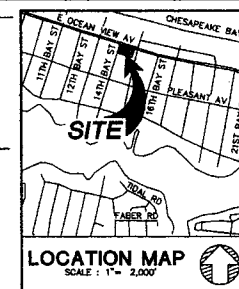


[illegible]

LOT	TOTAL AREA	
	(SQ. FT.)	(AC.)
1A	7,584	0.174
2A	5,700	0.131
3A	5,700	0.131
4A	6,300	0.145
5A	5,704	0.131
6A	6,832	0.159
TOTAL	37,900	0.870

**DEVELOPER:** COLBY CONSTRUCTION  
1224 HOMESTEAD DRIVE  
VIRGINIA BEACH, VA 23464  
PHONE (757) 724-3205  
EMAIL: dcolby7@gmail.com

**CIVIL DESIGN  
CONSULTANT:** WPL  
242 MUSTANG TRAIL, SUITE  
VIRGINIA BEACH, VIRGINIA 2  
VOICE (757) 431-1041  
FAX (757) 463-1412

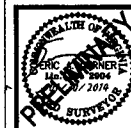


4 1 3

**PRELIMINARY RESUBDIVISION PLAT**

ALL RIGHTS RESERVED. SEE 1.02. 11

REDEMPTION OF  
 LOTS 1, 2, 3, 4, 5, 6, 7, 8, & 9, BLOCK 10  
 EAST OCEAN VIEW  
 PLAT A, SECTION No. 2  
 (M.B. 4, PG. 79 - VIRGINIA BEACH)  
 (M.B. 55, PG. 73 - NORFOLK)  
 NORFOLK, VIRGINIA



Drawing Scale

MEASURE MARK

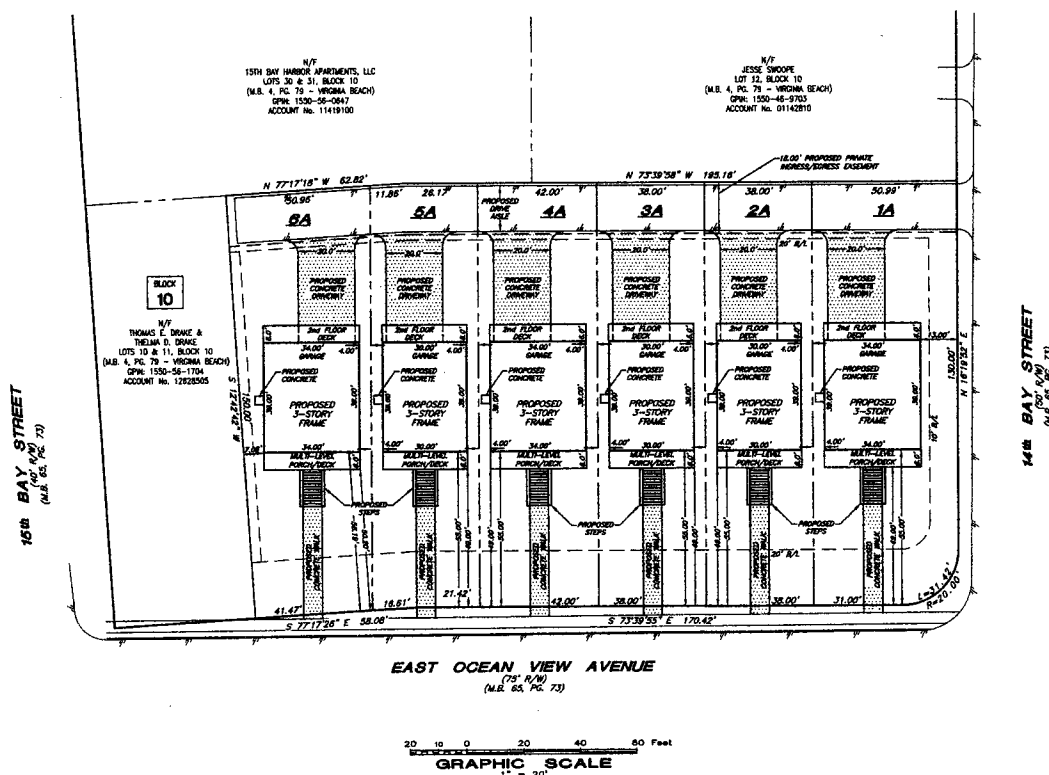
1 INCH SCALE: 1"=20'

1/2 INCH SCALE: 1"=40'

date: 01/10/2011  
file: 214-0015\_PRELIM.doc  
tech: EAG & WJ  
proj.man.: EA  
principal: WR  
plat ref.: 0-45  
job ref.: 214-0015  
fb/pg: 1/1

proj. no. 214-0015  
sheet 1 of 1  
drawing no.

**C-1.0**



PLOT DATE: JANUARY 10, 2014

PLAN STATUS: CITY SUBMITTAL



7 February 2014

City of Norfolk  
810 Union Street  
Director of Planning and Community Development, Suite 508  
City Hall Building  
Norfolk, VA 23510

Subject: Request for rezoning and development

I am pleased to give my support and that of the East Ocean View Civic League (EOVCL) to Mr. David Colby's request to rezone the property at 3401 East Ocean View Avenue, located between 14<sup>th</sup> and 15<sup>th</sup> Bay Streets, from its current Ocean View Residential (OVR) designation to R-12 (Single Family Housing). Mr. Colby attended the EOVC meeting last night, 6 February, and addressed residents' questions regarding the six homes he plans to build, including size, price, parking, and alleyways. The latter posed some concern relative to larger SUVs, for example, trying to negotiate both the alleyway and garage entrances. Residents believed he answered their concerns satisfactorily, however.

The plan presented to the membership was then voted on and approved *unanimously*.

We believe the addition of six single family homes will be good for our area, and pleased that, if the rezoning request is approved, this lessens if not eliminates the possibility of yet another multi-story, multi-unit condominium or apartment complex in our neighborhood.

Sincerely,

//Original Signed//

John M. Greene, Jr.  
President, East Ocean View Civic League

Cc: Councilman Tommy Smigiel  
Mr. Matt Hales  
Ms. Susan Pollock  
Mr. Ray Ransome  
Mr. David Colby, President, Colby Development LLC  
Ms. Ann Bolen